

REMARKS

Favorable reconsideration of this application is respectfully requested in view of the amendments above and the following remarks. Claims 1-13 remain pending in the present application.

Telephone Conference

During a telephone conference with Examiner Laura Schillinger on May 3, 2004, the undersigned informed the Examiner of apparent discrepancies between the reference numerals cited in the Official Action dated February 25, 2004 and the disclosure contained in U.S. Patent No. 6,162,680 to Lou. More particularly, the undersigned informed the Examiner that Lou does not recite, for instance, reference numerals 126, 251, 100, etc., as alleged in the Official Action. In fact, the highest reference numeral listed in Lou is 38.

The Examiner agreed that the Official Action is defective, but stated that a response to that Office Action should be submitted. In addition, the Examiner agreed to issue a second Non-Final Office Action in response to the filing of the present Response.

Accordingly, the Examiner is respectfully requested to withdraw the rejections set forth in the Official Action and to allow all of the claims in the present invention.

Amendment to the Specification

The Official Action sets forth objections to the specification for allegedly failing to provide proper antecedent basis for the claimed subject matter. Although Applicants disagree with these objections, the objected to sections of the specification have been amended to correct a few typographical errors.

No new matter has been introduced by way of these amendments and entry thereof is therefore respectfully requested.

Claim Rejection Under 35 U.S.C. §102

Claims 1-4 and 7-13 have been rejected under 35 U.S.C. §102(b) as allegedly being unpatentable over the disclosure contained in U.S. Patent No. 6,162,680 to Lou.

Initially, it is respectfully submitted that Lou does not qualify as a reference under 35 U.S.C. §102(b) because the present application was filed within one year of the Lou patent date. More particularly, Lou has a patent date of December 19, 2000 and the present application has a filing date of June 27, 2001. Therefore, the rejection of Claims 1-4 and 7-13 as allegedly being unpatentable under 35 U.S.C. §102(b) based upon Lou is improper and should be withdrawn.

Secondly, the heading section of this rejection only indicates that Claims 1-4 and 7-12 are rejected, whereas the body of this section states that Claim 13 is also rejected. The Examiner is respectfully requested to correct this oversight.

With respect to the substance of the rejection of Claims 1-4 and 7-13, Applicants are unable to meaningfully respond to this rejection because of the errors contained in the rejection. As stated hereinabove, the reference numerals cited in the Official Action are clearly not directed to the Lou ('680) document and it is thus impossible to determine to which elements in the Lou document the rejections are directed.

In addition, there is nothing in the Official Action to rebut the arguments against the rejection of Claims 1-13 filed by the Applicants on May 27, 2003. Because the Official Action appears to rely upon the same document as in the prior Official Action, Applicants

respectfully request that the Examiner provide some basis as to why the previously filed arguments were not deemed persuasive.

Accordingly, the Examiner is respectfully requested to withdraw the rejection of Claims 1-4 and 7-13. Moreover, the Examiner is respectfully requested to allow Claims 1-4 and 7-13 over the disclosure contained in Lou for at least the reasons set forth in the Response filed on May 27, 2003.

Claim Rejection Under 35 U.S.C. §103

Claims 5 and 6 have been rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over the disclosure contained in Lou. This rejection is respectfully traversed because Claims 5 and 6 are patently distinguishable over the disclosure contained in that document.

As stated in the section above, the Official Action contains deficiencies which render it impossible for the Applicants to meaningfully respond to the Official Action. In addition, Claims 5 and 6 of the present invention depend upon allowable Claim 1 and are thus allowable at least by virtue of their dependencies.

Accordingly, at least by virtue of their dependencies upon allowable Claim 1, Claims 5 and 6 are also allowable. The Examiner is, therefore, respectfully requested to withdraw the rejections of Claims 5 and 6.

Conclusion

In light of the foregoing, withdrawal of the rejections of record and allowance of this application are earnestly solicited.

Should the Examiner believe that a telephone conference with the undersigned would assist in resolving any issues pertaining to the allowability of the above-identified application, please contact the undersigned at the telephone number listed below. Please grant any required extensions of time and charge any fees due in connection with this request to deposit account no. 08-2025.

Respectfully submitted,

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